

REMARKS/ARGUMENTS

The Office Action mailed May 3, 2004 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claims 1, 7, 13 and 19 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, page 9, lines 1-17. The text of claims 2-6, 8-12 and 14-18 is unchanged, but their meaning is changed because they depend from amended claims.

The 35 U.S.C. § 102 Rejection

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17 and 19 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Borella et al.¹ This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.²

Borella does not teach or suggest “receiving a user profile for the user from the AAA server, said user profile containing information regarding which commands the user is authorized to execute, said information including a command set described by regular expressions”.

¹ U.S. Patent 6,587,433

² Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In Borella, the user profile “stores levels or service class information assigned to users or user/traffic-type combinations” (see Col. 9, lines 50-51). This user profile is then utilized to stamp each incoming packet from the user (and possibly outgoing packets as well) with a DS byte (See Col. 9, lines 55-58). The DS byte identifies the service level assigned for the packet (See Col. 9, lines 53-55). This allows subsequent routers to handle the packet in accordance with the service level. For example, if a user has paid for a high level of service, the router may handle a packet which has been stamped with the corresponding DS byte as a high priority packet, processing it ahead of lower priority packets received earlier.

There is no teaching or suggestion in Borella that the user profile contains information regarding which commands the user is authorized to executed, or that the information includes a command set described by regular expressions. FIG. 4 of Borella indicates the format of the user profile. It describes, for each user, the DS byte with which to stamp packets from the user. It does not describe commands the user is authorized to execute, nor does it include a command set described by regular expressions.

Furthermore, Borella does not teach or suggest “determining whether the command is authorized based on said information in said user profile stored in said memory”. The Office Action alleges this element is taught by “authorizing the request based on user profile” as described in Col. 4, lines 45-67 and Col. 5-8, lines 1-67 of Borella. However, the authorizing of the request in those sections of Borella merely represents steps taken to establish a RADIUS session with a user, not to authorize an individual command from a user after a RADIUS session has been established. Since claim 1 describes a separate element of “establishing a RADIUS session with the user”, it is clear that the “determining” in claim 1 is not being performed as part

of this establishment of the RADIUS session. In other words, in Borella, the request being authorized is the Access-Request submitted by the user to initiate a RADIUS session, and not a command issued subsequent to that.

Furthermore, claim 1 as amended indicates that the method is being performed at a network device separate and distinct from an Authentication, Authorization, and Accounting (AAA) server. The Access-Request being handled in Borella is clearly being handled by a RADIUS server (see Col. 7, lines 45-46, "Once the RADIUS server 32 receives the request, it validates the sending client"). The RADIUS server in Borella is clearly a AAA server, and thus does not teach the indicated method claim.

Claims 7, 13, and 19 contain elements that Applicant maintains would be covered by the arguments listed above in regard to claim 1. As such, Applicant respectfully maintains that claims 7, 13, and 19 are in condition for allowance.

As to dependent claims 2, 4-5, 8, 10-11, 14, and 16-17, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The First 35 U.S.C. § 103 Rejection

Claims 6, 12 and 18 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Borella in view of Theimer et al.³. This rejection is respectfully traversed.

As to dependent claims 6, 12, and 18, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The Second 35 U.S.C. § 103 Rejection

Claims 3, 9 and 15 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Borella and Malkin et al.⁴, in view of Torres et al.⁵. This rejection is respectfully traversed.

As to dependent claims 3, 9, and 15, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

³ U.S. Patent 5,555,376

⁴ U.S. Patent 6,061,650


⁵ U.S. Patent 5,897,635

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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